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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,281	10/31/2003	Kazuo Okada	SHO-0055	8441
23353 7590 06/25/2007 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER RENDON, CHRISTIAN E	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 06/25/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/697,281

Applicant(s)

OKADA, KAZUO

Examiner

Christian E. Rendón

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 and 32-36 <sup>32 CER</sup> is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 and 32-36 <sup>32 CER</sup> is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date  
:12/16/05,11/01/05, 07/26/05, 04/28/05, 01/28/05, 11/19/04, 05/28/04 .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. Claim 24 is rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility. The purpose of a display device is to present images to a person. However the claim limitation presents a display that will not allow a player to view the colored image on display, therefore the display is inoperative since its purpose is not fulfilled and no useful task is performed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-30 and 32-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Loose et al. (US 6,517,433 B2).**

2. Regarding claim 4, 7, 14, 19, 24, 29 and 34, Loose discloses a slot machine comprising of multiple spinning reels and a video display (Abstract). "The video display provides a video image superimposed on the reels" (col. 1, lines 46-47), therefore the display is in front of the reels (fig. 2a, 14a). The video image complements the reel symbols by interacting with the reels with graphics, special effects, thematic scenery, and instructional information (col. 1, lines 48-50). The superimposed image highlights the winning combination and its associated payline by providing an effect that flashes or illuminates the payline or a portion of the reel (col. 4, lines 4-10). Furthermore, the appearance of the video image is adjustable in terms of transparency, translucency, or opacity depending on the purpose of the image (col. 5, lines 24-27).

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3. Regarding claim 1, as stated above the reels are illuminated or highlighted at some point after the game machine has been turned on.
4. Regarding claim 2-3, besides the use of a lamp to illuminate the reels (col. 5, lines 36-38) the reels are also illuminated during certain phases: dim the lights are used during a spin (col. 5, lines 36-38), the lamps are also used during a losing outcome and the video display is used during a winning outcome (col. 4, lines 4-10).
5. Regarding claim 5, 8, 10, 15, 32 and 35, the disclosed gaming device contain various components that are mechanical like reels and electrical like a display device that requires power to perform the novel and useful outcome that earned the inventor a patent. Therefore the system containing a power supply that provides energy to the reels or a display device and an image display unit (fig. 2a, 14a) independently is inherently disclosed by the prior art.
6. Regarding claim 6, 11, 16-17, 21-22, 26-27 and 33, the above description of the prior art is considered within this art rejection as well. As stated above, the gaming device includes lamps (col. 5, lines 36-38) and a video display that can adjust an image in terms of transparency, translucency, or opacity (col. 5, lines 24-27). Through the use of these two components the device is able to produce different lighting situations based on the gaming state and the different states are used to guarantee that a player will view an image clearly (col. 5, lines 26-27), preventing abnormal images.
7. Regarding claim 9, 13, 20, 25, 30 and 36, the image or video display (fig. 2a, 14a) is disclosed as a part of the upper portion of the gaming device (fig. 1).
8. Regarding claim 12, 18, 23, and 28, the prior art discloses the use of the video image as a means to modify a printed symbol (col. 4, lines 58-60). The video display is able to depict many forms of animation (col. 5, lines 1-23), for example a blanking symbol morphing or transforming into another symbol (col. 4, line 66-67 and col. 5, line 1). In terms of computer animation, the

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morphing of an object implies animation depicting an object changing its form and size in order to become the second object. Therefore the prior art inherently teaches the enlargement of an image signal.

### ***Conclusion***

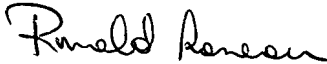
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian E. Rendón whose telephone number is 571-272-3117. The examiner can normally be reached on 9 - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christian E Rendón  
Examiner  
Art Unit 3714

CER

  
RONALD LANEAU  
PRIMARY EXAMINER  
6/21/07